IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA) 0:44CD405	
	Plaintiff,) 8:11CR105)	
	vs.) DETENTION ORDER	
MA	ARTHA ORALIA BELTRAN-MARINO,		
	Defendant.	'	
A.	Order For Detention After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on April 28, 2011, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).		
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 		
C.	distribute methamphetan 846 and the possession of (Count II) both carry a min and a maximum of life im (b) The offense is a crime of (c) The offense involves a n	e offense charged: y to distribute and possess with intent to mine (Count I) in violation of 21 U.S.C. § with intent to distribute methamphetamine himum sentence of ten years imprisonment prisonment.	
	may affect wheth X The defendant h X The defendant h X The defendant h X The defendant is X The defendant of ties. Past conduct of The defendant h The defendant h The defendant h	appears to have a mental condition which the the defendant will appear. It is not a long time resident of the community. It is not a long time resident of the community. It is not a long time resident of the community. It is not a long time resident of the community. It is does not have any significant community the defendant: It is a history relating to drug abuse. It is a history relating to alcohol abuse. It is a significant prior criminal record. It is a prior record of failure to appear at	

DETENTION ORDER - Page 2

	of the current arrest, the defendant was on: bation
Par	ole
	ease pending trial, sentence, appeal or completion of
	itence.
(c) Other Facto	
	e defendant is an illegal alien and is subject to portation.
	e defendant is a legal alien and will be subject to
	portation if convicted.
	e Bureau of Immigration and Custom Enforcement
	CE) has placed a detainer with the U.S. Marshal.
Öth	ier:
V (4) TI 1	
	seriousness of the danger posed by the defendant's
release are as folio	ows: The nature of the charges in the Indictment.
X (5) Rebuttable Presu	mntions
	the defendant should be detained, the Court also relied
	rebuttable presumption(s) contained in 18 U.S.C. §
	Court finds the defendant has not rebutted:
	ondition or combination of conditions will reasonably
	appearance of the defendant as required and the safety
	person and the community because the Court finds that
the crime in	
(1)	A crime of violence; or
<u>X</u> (2)	An offense for which the maximum penalty is life
V (0)	imprisonment or death; or
<u>X</u> (3)	A controlled substance violation which has a maximum
(4)	penalty of 10 years or more; or A felony after the defendant had been convicted of two
(4)	or more prior offenses described in (1) through (3)
	above, and the defendant has a prior conviction for
	one of the crimes mentioned in (1) through (3) above
	which is less than five years old and which was
	committed while the defendant was on pretrial release.
X (b) That no co	ondition or combination of conditions will reasonably
	appearance of the defendant as required and the safety
of the comr	nunity because the Court finds that there is probable
cause to be	
<u>X</u> (1)	That the defendant has committed a controlled
	substance violation which has a maximum penalty of
(0)	10 years or more.
(2)	That the defendant has committed an offense under 18
	U.S.C. § 924(c) (uses or carries a firearm during and
	in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment
	if committed by the use of a deadly or dangerous
	weapon or device).
	TOURD OF TOUR TOUR TOUR TOUR TOUR TOUR TOUR TOUR

DETENTION ORDER - Page 3

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal:
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: April 28, 2011. BY THE COURT:

s/Thomas D. Thalken

United States Magistrate Judge